

REMARKS

The Examiner is thanked for the examination of the application. Applicants gratefully acknowledge the Examiner's indication that claims 6-25, 29, 30, 35, and 36 are allowable. However, in view of the remarks that follow, Applicants respectfully submit that all pending claims are currently in condition for allowance and respectfully request that the Examiner withdraw the outstanding rejections.

Claims 1-5, 26-28, and 31-34 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent Publication No. 2003/0125690, hereinafter *Hermansson*. This rejection is respectfully traversed.

Applicants respectfully submit that *Hermansson* can only be considered prior art to the present application under 35 U.S.C. § 102(e). Therefore, 35 U.S.C. § 103(c)(1) precludes *Hermansson* from rendering the present application obvious because the presently claimed invention and the subject matter of *Hermansson* were owned by or subject to an obligation to assign to the same person, SCA. That is, *Hermansson* cannot be used in establishing a case of *prima facie* obviousness against the presently claimed invention.

Further, Applicants note that the Examiner appears to rely on some additional references on page 3 of the current Office Action ("Erspamer, Roslanksy and Lipner") in making the obviousness rejection in combination with *Hermansson*. To Applicants' knowledge, these references have never been made of record in the present application. Nor does the Examiner provide any specific citations to these references in support of the obviousness rejection. Accordingly, Applicants are unable to rebut the Examiner's statements with regard to what these references allegedly disclose.

In light of the above, Applicants respectfully submit that the Examiner has not made a proper rejection of obviousness under 35 U.S.C. § 103. Withdrawal of this rejection and allowance of all currently pending claims are respectfully requested.

In the event that there are any questions concerning this Reply, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

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